

*Preparing a 208 Amendment to a Council of Governments (COG) 208 Water Quality Management Plan can be a time consuming and complicated process. This pamphlet is written to help those wastewater treatment facilities (WWTF) which find they require a 208 amendment. Following this process will provide the most efficient use of time for the facility and ADEQ.*

### When A 208 Plan Amendment Is Required

Processes may differ among COGs, however, here are *some general guidelines* to indicate when a facility *will need* an amendment.

- ! Non-existent in the COG 208 plan.  
There is no listing or mention of the facility
- ! Requesting an individual permit.  
Some 208 plans have special circumstances for smaller facilities applying for a general permit. In many cases this will be mentioned in the plan. Check with the regional COG.
- ! A discharge to the surface waters of the U.S., which will require a NPDES permit.  
All new direct discharge facilities will require an amendment to the COG plan.
- ! Expansion of an existing facility beyond the capacity discussed in the COG 208 plan, or other types of expansion not discussed in the plan (i.e. a second plant, etc.)
- ! Expansion of the boundaries beyond the current area the facility serves.
- ! Requesting Designated Management Agency (DMA) status.

## Ten Steps To An Amendment Process

### STEP 1 OBTAIN AND READ APPROPRIATE DOCUMENTS

If the facility is uncertain as to whether an amendment is needed, contact the regional COG and request a copy of the 208 Water Quality Management Plan. Set up a meeting with the COG if there are questions about the development of the facility. Any proposed facility which is within the current planning boundaries of a city, town, sanitary district, improvement district, or within a DMA will need to contact that office before proceeding with plans.

Once it has been determined the facility will require an amendment, contact the state Water Quality Management (WQM) Planning Coordinator and request a copy of the Continuing Planning Process. This document contains procedures for planning and implementing water quality management, and a checklist of requirements that must be addressed in the amendment. Request a copy of the Permits Handbook. This document covers all the permits that may be required for a facility, along with contact names and numbers.

### STEP 2 SCHEDULE A PRE-APPLICATION MEETING/SUBMIT APPLICATIONS

After reading these documents, call ADEQ and request a pre-application meeting with the permit writers in the Department. They will be able to answer questions and discuss the specific requirements, submittal processes, and time frames required for various permits. Remember, some of these permits can take up to six months or more to process, **after** the receipt of a **complete** application. It is suggested the facility prepare and submit the appropriate applications in a timely manner.

### STEP 3 COORDINATE WITH COG AND ADEQ

After the facility has applied for the necessary permits, the next step is to contact the COG and the state Regional WQM Planning Coordinator and request a meeting to discuss the future development, and the steps required to process a 208 amendment. They will help set up a time line to follow that will include the public hearing, as well as due dates for draft amendments and a schedule for COG committees to review the draft amendment plan.

### STEP 4 BEGIN WORKING ON DRAFT AMENDMENT

Start working on the draft copy of the amendment. The COG and ADEQ can provide copies of previous amendments to help you establish a format. The COG and/or ADEQ are available to answer questions during the development of the amendment. Most facilities contract consultants to write the amendment. Some COGs will write the amendment for a fee. The time it takes to write an amendment depends on the contractor and the size of the facility.

### STEP 5 SUBMIT DRAFT AMENDMENT

Present a draft copy, **complete** with tables and maps, of the amendment, to the 208 coordinator and the COG for review. They will review the draft and send a list of any corrections that need to be addressed. At this stage, most changes in the draft document are usually minor, if the previous steps have been followed. Most documents can be reviewed and returned within two weeks. The COG and ADEQ will let the facility know how many copies of the draft amendment are required for committee/public review.

### STEP 6 SET UP PUBLIC HEARING SCHEDULE

Call the COG to arrange a time frame for the public hearing. It is the COG's responsibility to publish the newspaper announcement, receive written comments, and record public comments for the hearing. The time frame should allow adequate time to make any changes

to the draft document before it is available to the public. Notices must be published **45 days** prior to the hearing date. Draft amendments must be available for the public viewing **30 days** before the hearing.

#### **STEP 7 PRESENTATION TO PUBLIC HEARING AND COG COMMITTEES**

The COG will most likely request that the writer of the document do a brief presentation of the draft amendment and be available to answer questions for the public hearing and the various committee reviews. Talk with the COG about what they will require for the various meetings.

After the public hearing and review by COG committees, the COG will provide the facility with copies of the meeting agendas and any public comments on the facility. Incorporate these as an appendix to the draft amendment. Provide the COG and ADEQ with copies for a final review. If any changes need to be made at this time, the facility will be notified.

#### **STEP 8 SUBMIT FINAL DRAFT WITH PUBLIC/COMMITTEE COMMENTS**

ADEQ requires four copies of the final amendment. The amendment must be reviewed and approved by the Director of ADEQ, the Governor, and EPA.

#### **STEP 9 ADEQ PROCESSES AMENDMENT**

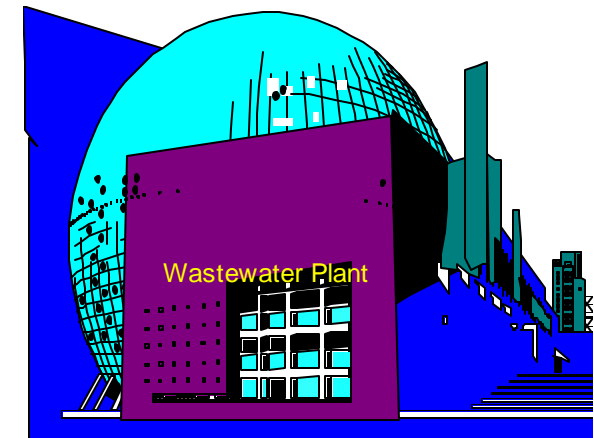
The 208 Regional Coordinator will prepare letters and provide a copy of the final amendment to the appropriate offices. The process can take four to six weeks or longer, depending on the ability of each office to expedite the review process. After the amendment package is sent to EPA, if the 208 Regional Coordinator does not receive a written reply within 120 days, the amendment is automatically approved.

#### **STEP 10 COPIES OF APPROVAL DOCUMENTATION FORWARDED TO FACILITY/AMENDMENT FILED**

The Regional Coordinator will provide copies of all letters of approval to the COG. A copy of the amendment will be available at ADEQ and the COG offices. The facility should keep a copy on their premises. All amendments are available for public viewing. When a COG updates its regional plan, the facility will be included in the new plan.

# **208 WATER QUALITY PLANNING**

## ***PROCEDURE FOR 208 AMENDMENTS***



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